

House File 2164 - Enrolled

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HOUSE FILE 2164

AN ACT

RELATING TO VOLUNTARY DIVERSITY OR COURT-ORDERED SCHOOL
DESEGREGATION PLANS UNDER THE STATE'S OPEN ENROLLMENT LAW.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 282.18, subsection 3, Code 2007, is
amended to read as follows:

3. ~~In all districts involved with voluntary or~~
~~court-ordered desegregation, minority and nonminority pupil~~
~~ratios shall be maintained according to the desegregation plan~~
~~or order.~~ The superintendent of a district subject to a
voluntary diversity or court-ordered desegregation plan, as
recognized by rule of the state board of education, may deny a
request for transfer under this section if the superintendent
finds that enrollment or release of a pupil will adversely
affect the district's implementation of the desegregation
order or diversity plan, unless the transfer is requested by a
pupil whose sibling is already participating in open
enrollment to another district, or unless the request for
transfer is submitted to the district in a timely manner as
required under subsection 2 prior to the adoption of a
desegregation plan by the district. If a transfer request
would facilitate a voluntary diversity or court-ordered
desegregation plan, the district shall give priority to
granting the request over other requests.

A parent or guardian, whose request has been denied because
of a desegregation order or diversity plan, may appeal the
decision of the superintendent to the board of the district in
which the request was denied. The board may either uphold or
overturn the superintendent's decision. A decision of the
board to uphold the denial of the request is subject to appeal
to the district court in the county in which the primary
business office of the district is located. ~~By July 1, 2004,~~

~~the~~ The state board of education shall adopt rules
establishing definitions, guidelines, and a review process for
school districts that adopt voluntary desegregation diversity
plans. The guidelines shall include criteria and standards
that school districts must follow when developing a voluntary
desegregation diversity plan. The department of education
shall provide technical assistance to a school district that
is seeking to adopt a voluntary desegregation diversity plan.
A school district implementing a voluntary desegregation
diversity plan prior to July 1, ~~2004~~ 2008, shall have until
July 1, ~~2006~~ 2009, to comply with guidelines adopted by the
state board pursuant to this section.

PATRICK J. MURPHY
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 2164, Eighty-second General Assembly.

MARK BRANDSGARD
Chief Clerk of the House

Approved _____, 2008

CHESTER J. CULVER
Governor